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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TUCKER COMPANY, INC.,

Plaintiff,

ECF CASE

- against -

07 CV 4660 (SCR)

9102-3176 QUEBEC INC.
d/b/a TRANSPORT ROXY USA,

Defendant.

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**MEMORANDUM OF LAW IN SUPPORT OF
PLAINTIFF'S MOTION FOR A CHANGE OF VENUE**

McDermott & Radzik, LLP submits this Memorandum of Law in support of Tucker Company, Inc.'s Motion for a Change of Venue. Pursuant to 28 U.S.C. Sec. 1404(b), a party may move a suit from the division in which it is pending to any other division in the same district. Accordingly, this action is currently pending before the White Plains division of the Southern District of New York. Plaintiff respectfully requests that this action be transferred to the Foley Square division of the Southern District of New York.

Plaintiff requests that the transfer be granted due to the fact that it submitted a case information sheet for this action with a clerical error indicating that it wished for the case to be filed in White Plains. However, Plaintiff intended for the case to be heard before the Foley Square division, as this choice of forum would be far more convenient than the White Plains forum.

CONCLUSION

Plaintiff Tucker Company, Inc. respectfully requests that its Motion for a Change of Venue be granted, and that this case be transferred to the Foley Square division of the Southern District of New York.

Dated: New York, New York
June 7, 2007

MCDERMOTT & RADZIK, LLP
Attorneys for Plaintiff,
Tucker Company, Inc.

By:



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